GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – MA&UD Department – Establishment – Municipal Commissioners – Adhoc promotion to Smt K. Kanaka Mahalakshmi, Municipal Commissioner, Grade-II to the post of Municipal Commissioner, Grade-I – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (A) DEPARTMENT

G.O.RT.No. 194 **Dated: 20-04-2021**

Read the following:-

1. G.O.Ms.No.424, General Administration (Ser.C) Deptt, Dt. 15.04.1976.
2. G.O.Ms.No.257, General Administration (Ser.C) Deptt., dt.10.06.1999.
3. Proceedings of the Departmental Promotion Committed meeting held on 07.03.2019.
4. Proceedings of the Departmental Promotion Committee meeting held on 31.08.2020 & Review DPC meeting held on 21.12.2020.
5. G.O.Rt.No.386, MA & UD Department, Dt. 31.08.2020.
6. Orders of the Hon'ble High Court of AP., dated 03.11.2020 in W.P.No.15719/2020.
7. Memo.No.1298305/COUM/61/2020-A, MA & UD Deptt., Dt. 14.12.2020.
8. G.O.Rt.No.626, MA & UD Department, Dated 31.12.2020.
9. From the C&DMA, AP, Guntur, Roc.No.20024/17/2021/A1, Dt.25.01.2021.
10. Representation,Dt.22.03.2021, received from Smt K. Kanaka Mahalakshmi, MC, Grade-II.

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O R D E R:-

During the panel year 2018-19, the Departmental Promotion Committee in its meeting held on 07.03.2019 vide proceedings 3rd read above, has considered the name of Smt K. Kanaka Mahalakshmi, MC Gr.II and recommended her name be deferred since charges are pending against her. Further, during the panel year 2019-20, vide proceedings 4th read above, the DPC and Review DPC in its meeting held on 31.08.2020 and 21.12.2020 respectively, has considered the name of the individual, but recommended her promotion be deferred due to charges pending against her in terms of orders issued vide GOs 1st and 2nd read above. Further, Govt., issued orders vide GO.5th read above, approving the panel of names of Municipal Commissioners Grade-II / Assistant Directors & Section Officers / Private Secretaries to Secretaries to to Government of AP Secretariat for promotion / appointment by transfer to the category of Municipal Commissioner, Grade.I for the panel year 2019-20. The name of Smt K. Kanaka Mahalakshmi, MC Gr.II has been included in the panel, but, her promotion was deferred since charges are pending against her.

2. Aggrieved by the above, Smt K. Kanaka Mahalakshmi, MC Gr.II, Parvathipuram, Vizianagaram District has filed WP No.15719/2020 before the Hon'ble High Court of AP and prayed for consideration of her case for promotion to the post of Municipal Commissioner, Grade-I, without reference to the disciplinary proceedings. The Hon'ble High Court of A.P., Amaravati in WP No.15719/2020 filed by Smt. K. Kanaka Mahalakshmi, MC Gr.II has passed orders dated 03.11.2020, the operating portion is as follows " this court directs the respondents to consider the case of the petitioner for promotion to the post of Municipal Commissioner Grade-I, without the Charge Memo. dated 16.04.2018, strictly in accordance with law, if she is otherwise eligible for promotion".

3. In the reference 9th read above, the Commissioner & Director of Municipal Administration, Andhra Pradesh, Guntur while furnishing the remarks on the representation of the individual and court orders, has requested the Government to consider for adhoc promotion to Smt K. Kanaka Mahalakshmi, Municipal Commissioner Gr.II to the post of Municipal Commissioner Grade-I, as per the orders of Hon'ble High Court of AP, to avoid further legal complications.

4. Government after careful examination of the matter, have decided to implement the orders of the Hon'ble AP High Court and hereby promote Smt K. Kanaka Mahalakshmi, Municipal Commissioner, Grade.II, to the post of Municipal Commissioner, Grade.I on adhoc basis under rule 10 (a) of AP State and Subordinate Service Rules, 1996, in the scale of pay of Rs. 40270-1110-42490- 1190-46060-1270-49870-1360-53950-1460-58330-1560-63010-1660-67990-1760-73270-1880 - 78910-2020-84970-2160-91450-2330-93780 in RPS 2015 with usual pay and allowance applicable to the post from time to time.

5. On adhoc promotion as Municipal Commissioner, Grade-I, Smt K. Kanaka Mahalakshmi, is posted as Municipal Commissioner, Grade.I, Parvathipuram, Vizianagaram District.

6. The above adhoc promotions is subject to the following conditions:

(a) that the appointment by promotion to the post of Municipal Commissioner, Gr.I is in exigency of service and are purely on adhoc basis and subject to outcome of OAs/WPs/WAs/RPs/CAs/SLPs etc., if any pending before the various judicial forums and also the disciplinary cases contemplated against her;

(b) That she is liable to be replaced and reverted without assigning any reason and without any notice.

(c) The individual is informed that she should join in the new post within 15 days from the date of receipt of this order, failing which she shall forego her promotion both for the present and future as per rule 11 (b) of AP State and Subordinate Service Rules,1996.

7. The Commissioner & Director of Municipal Administration, Andhra Pradesh, Guntur shall take immediate necessary action accordingly and intimate the date of joining of the individual to the Government for information and record.

(BY ORDER AND IN THE NAME OF THE GOVERNER OF ANDHRA PRADESH)

Y. SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner & Director of Municipal Administration,
AP, Guntur.
The individual through C&DMA, AP, Guntur.
Copy to:-
The Accountant General, AP.Vijayawada.
The PS. to Hon'ble Minister (MA &UD).
The PS to Spl. Chief Secretary to Government, MAUD.
The Government Pleader for MA&UD Department,
AP High Court, Velagapudi.
SC/SF

// FORWARDED :: BY ORDER //

SECTION OFFICER